

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

SIDDHARTHA SHAH,

Defendant.

ORDER

07-cr-98-bbc

08-cv-651-bbc

Defendant has written to the court requesting that he be provided a copy of his sentencing transcript at government expense. In support of his request, he states that he will be bringing a motion for vacation of his sentence pursuant to 28 U.S.C. § 2255. It is defendant's belief that his lawyer failed to file an appeal on his behalf, the government wrongly indicted him and his counsel failed to object to the indictment.

From my review of the assertions made by defendant, I see no reason why he needs a copy of his sentencing transcript. All of his contentions are directed at events that would have taken place outside the courtroom. For example, his contention that his lawyer failed to file an appeal on his behalf turns on what happened in meetings between defendant and his counsel and not on any colloquy in the courtroom. Therefore, there is no apparent need

for the defendant to have a transcript of that proceeding prepared at government expense pursuant to 28 U.S.C. 753(f). If defendant wishes, he may still obtain a copy of the transcript of the sentencing at his own expense by writing directly to the Court Reporters Office, United States District Court, 120 N. Henry Street, Madison, WI, 53703, (608) 255-3821.

A copy of the docket sheet is enclosed with this order.

ORDER

IT IS ORDERED that defendant's request for preparation of the sentencing transcript at government expense is DENIED.

Entered this 26th day of November, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge